

2-10-04

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**GAIL GALLOWAY**

**Plaintiff**

v.

**PENNSYLVANIA BOARD OF  
PROBATION AND PAROLE, et al.,  
Defendants**

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:

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:

:

**CIVIL NO. 1:CV-00-0649**

*(Judge Rambo)*

**FILED  
HARRISBURG, PA**

**MAR 24 2004**

**MARY E. D'ANDREA, CLERK**  
**Per \_\_\_\_\_ SJC**

**MOTION TO WAIVE FILING OF SECOND AMENDED COMPLAINT BY  
PLAINTIFF**

NOW COMES Gail Galloway, ("Plaintiff"), in the above captioned action and requests this Court to withdraw its Order dated March 3, 2004 and waive the filing of a Second Amended Complaint in this matter.

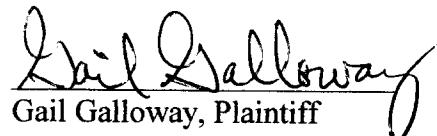
Counsel for the Defendants has been in contact with Plaintiff and has cleared up the issue of the defendants in this matter. Counsel and Plaintiff have agreed that the only issue is the Plaintiff's claim that Defendants illegally seized him in violation of his Fourth Amendment rights, therefore the Plaintiff's Fourth Amendment claim is the only issue being litigated.

Defendants for the Plaintiff's Fourth Amendment claim shall only be the Pennsylvania Board of Probation and Parole, Charles Giornesto, Joseph Smith, and

George Johnson and all other defendants are dismissed from the case either by Order of the Court or by mutual agreement between Defendants Counsel, Francis Filipi, Office of Attorney General and Plaintiff.

THEREFORE, since it is clearly understood and agreed upon by Counsel for the Defendants and Plaintiff who the Defendants are and that the only issue being litigated is Plaintiff's Fourth Amendment claim, both parties agree that there is no need for Plaintiff to file a Second Amended Complaint.

Respectfully Submitted,



Gail Galloway, Plaintiff  
R.D.#1, Box 30  
Petersburg, PA 16669  
(814) 669-9164

Date: March 22, 2004

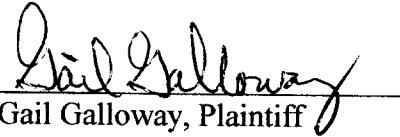
**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>GAIL GALLOWAY,</b>	:	
<b>Plaintiff</b>	:	
	:	
<b>v.</b>	:	<b>CIVIL NO. 1:CV-00-0649</b>
	:	
<b>PENNSYLVANIA BOARD OF</b>	:	
<b>PROBATION AND PAROLE, <i>et al.</i>,</b>	:	
<b>Defendants</b>	:	

**CERTIFICATE OF CONCURRENCE**

Francis Filipi, Office of Attorney General, 15th Floor, Strawberry Square, Harrisburg, PA, Counsel for Defendants in the above captioned action has spoken directly with Gail Galloway, Plaintiff in the above captioned action and has concurred that there is no need for Plaintiff to file a Second Amended Complaint since both parties agree on who the Defendants are and that the only issue being litigated is Plaintiff's claim that the Defendants illegally seized him in violation of his Fourth Amendment rights.

Respectfully submitted,

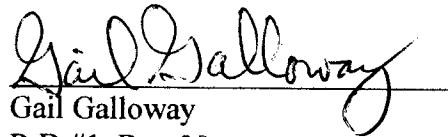
  
\_\_\_\_\_  
Gail Galloway, Plaintiff  
R.D.#1, Box 30  
Petersburg, PA 16669  
(814) 669-9164

Date: March 22, 2004

**CERTIFICATE OF SERVICE**

I certify that I have this day served a true and correct copy of the foregoing document upon the persons named below by First Class United States Mail at the address stated, which is the last known address of each.

Francis Filipi  
Office of Attorney General  
15th Floor, Strawberry Square  
Harrisburg, PA 17120



Gail Galloway  
R.D.#1, Box 30  
Petersburg, PA 16669  
814-669-9164

Date: March 22, 2004